



UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-2(c)

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Order Filed on March 13, 2018
by Clerk
U.S. Bankruptcy Court
District of New Jersey

In Re:

Anthony D. Caponegro

Case No.: 16-25398

Chapter: 13

Adv. No.: N/A

Hearing Date: 3/20/2018 @ 10:00 a.m.

Judge: ABA

**ORDER TO APPROVE LOAN MODIFICATION WITH BAYVIEW LOAN
SERVICING, LLC**

The relief set forth on the following pages, numbered three (3) is hereby ORDERED.

DATED: March 13, 2018



Honorable Andrew B. Altenburg, Jr.
United States Bankruptcy Court

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Debtors: Anthony D. Caponegro

Case No: 16-25398/ABA

Caption of Order: Order to Approve Loan Modification of Debtors with Bayview Loan Servicing, LLC

Upon consideration of Anthony D. Caponegro's application for an order to approve a loan modification with Bayview Loan Servicing, LLC, and good cause appearing therefore, it is hereby

ORDERED that the Debtors are permitted to proceed with a loan modification Bayview Loan Servicing, LLC.

IT IS FURTHER ORDERED Communication and/or negotiations between debtors and mortgagees/mortgage servicers about loan modification shall not be deemed as violation of the automatic stay; and any such communication or negotiation shall not be used by either party against other in any subsequent litigation.

IT IS FURTHER ORDERED that in the event a loan modification is completed and pre-petition arrears are capitalized into the loan, secured creditor shall amend the arrearage portion of its proof of claim to reflect the amount already paid by the Chapter 13 Trustee within thirty (30) days of the completion of the loan modification; and

IT IS FURTHER ORDERED that the Chapter 13 Trustee shall suspend disbursements to secured creditor pending completion of the loan modification and all money that would otherwise be paid to the secured creditor be held until the claim is withdrawn or amended or the Trustee is notified by secured creditor that the modification was not consummated; and

IT IS FURTHER ORDERED that in the event the modification is not consummated; the secured creditor shall notify the Trustee and debtors' attorney of same. Any money that was held by the Trustee pending the completion of the modification shall then be paid to secured creditor; and

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Debtors: Anthony D. Caponegro

Case No: 16-25398/ABA

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IT IS FURTHER ORDERED that in the event the Proof of Claim is withdrawn or amends the arrearage portion the claim to zero (0), the Trustee may disburse funds being held pursuant to this Order to other creditors in accordance with the provisions of the confirmed plan; and

IT IS FURTHER ORDERED that Debtors shall file an Amended Schedule J and Modified Plan within fourteen (14) days of this Order.

IT IS FURTHER ORDERED that Debtors shall provide the Trustee with an executed copy of the Loan Agreement upon completion.